

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Elizabeth Kemmerer
)
BAKER, et al.) Art Unit: 1636
)
Application Serial No. 09/941,992) Confirmation No. 8312
)
Filed: August 28, 2001) Attorney's Docket No. 39780-2730 P1C1
)
For: SECRETED AND TRANSMEMBRANE) Customer No. 35489
POLYPEPTIDES AND NUCLEIC ACIDS)
ENCODING THE SAME)

FILED VIA EFS ON DECEMBER 28, 2006

STATEMENT OF THE SUBSTANCE OF INTERVIEW

MAIL STOP: AF


Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

During a telephone interview on November 28, 2006 with Examiner Elizabeth C. Kemmerer, Ph.D., Daphne Reddy, Ph.D., Agent of Record, inquired about the correct date for filing a response to the pending Office Action in this application. Dr. Kemmerer explained that, contrary to what is stated in the Advisory Action mailed on October 25, 2006, Applicants have two months from the filing of a Notice of Appeal (October 20, 2006) to file a response, wherein the two-month period is extendable under 37 C.F.R. 41.37. Examiner Kemmerer further indicated that any new references or other evidence submitted by Applicants in response to the new references cited in the Advisory Action would be entered and considered.

Respectfully submitted,

Date: December 28, 2006


Ginger R. Dreger, Reg. No. 33,055

HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, California 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

SV 2252778 v1
12/28/06 9:47 AM (39780.2730)